

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1-19 are pending in this application.

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O. OR

Applicants also respectfully note the present action indicates that the drawings have been accepted by the Examiner.

Applicants thank the Examiner for indicating that the references submitted in the Information Disclosure Statement filed on November 20, 2003, have been considered.

Objections

Claim 9 is objected because of claim language informalities. Applicants have amended claim 9 taking into consideration the Examiner's comments. Withdrawal of the rejection is respectfully requested.

Rejections under 35 U.S.C. § 112

Claims 1-19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Although Applicants do not necessarily agree, Applicants have amended claims 1-3 and 5 taking into consideration the Examiner's comments. Applicants, therefore, respectfully request reconsideration and withdrawal of the rejection to claims 1-19 under 35 U.S.C. § 112.

Rejections under 35 U.S.C. § 103

Jorgensen/Bloebaum

Claims 1-5, 7-10 and 12-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 6,590,885 to Jorgensen (Jorgensen) in view of US 6,535,815 to Bloebaum (Bloebaum). Applicants respectfully traverse this rejection for the reasons detailed below.

The Examiner asserts that the Packet Header Identification component and the Packet Characterization component in Jorgensen teach the claimed first processor. Figure 16A and column 69 lines 5 – 50 of Jorgensen disclose that module **1624** of the Packet Header Identification component **1602** and module **1632** of the Packet Characterization component **1604** work together to determine if the IP flow application is known to the system. Module **1632** performs the determination by looking up the application in an IP flow QoS requirement table. Therefore, Jorgensen does not disclose a processor configured to “receive a message designating an application,” and function based on the message as recited in claim 1. By contrast, Jorgensen merely uses a lookup table to determine the application.

Because Jorgensen in view of Bloebaum does not teach or suggest each and every feature of claim 1, Jorgensen in view of Bloebaum does not render claim 1 obvious. Claims 2-5, 7-10 and 12-19 are patentable at least by virtue of their dependency from claim 1.

The Applicants, therefore, respectfully request reconsideration and withdrawal of the rejection to claims 1-5, 7-10 and 12-19 under 35 U.S.C. § 103(a).

Jorgensen/Bloebaum/Reichmeyer/Amin

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentabl over Jorgensen, in view of Bloebaum and further in view of US 6,286,038 to Reichmeyer et al. (Reichmeyer).

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jorgensen, in view of Bloebaum and further in view of US 6,854,014 to Amin et al. (Amin).

Applicants respectfully traverse this rejection in that even assuming *arguendo* that Reichmeyer or Amin could be combined with Jorgensen and Bloebaum (which Applicants do not admit), the combination of references fails to render even claim 1 obvious because Reichmeyer and Amin suffer from at least the same deficiencies as Jorgensen in view of Bloebaum with respect to claim 1. Therefore, even in combination, Jorgensen in view of Bloebaum further in view of Reichmeyer or Amin fails to render claims 6 and 11 obvious because claim 6 and 11 depend from claim 1. Withdrawal of this rejection is requested.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

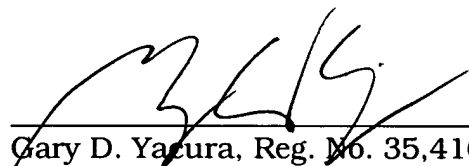
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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